

McDaniel
37325-032006



**ROANOKE CITY COUNCIL
REGULAR SESSION**

**MARCH 20, 2006
2:00 P.M.**

CITY COUNCIL CHAMBER

AGENDA

1. Call to Order--Roll Call. (All Council Members were present.)

The Invocation was delivered by Vice-Mayor Beverly T. Fitzpatrick, Jr.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor C. Nelson Harris.

Welcome. Mayor Harris.

NOTICE:

Today's Council meeting will be replayed on Channel 3 on Thursday, March 23, 2006, at 7:00 p.m., and Saturday, March 25, 2006, at 4:00 p.m. Council meetings are offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE WEDNESDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEVA.GOV, CLICK ON THE SERVICE ICON, CLICK ON COUNCIL AGENDAS TO ACCESS THE APPROPRIATE AGENDA AND COUNCIL MEETING. IF ADOBE ACROBAT IS NOT AVAILABLE, A PROMPT WILL APPEAR TO DOWNLOAD PRIOR TO VIEWING AGENDA INFORMATION.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT WWW.ROANOKEVA.GOV, TO OBTAIN AN APPLICATION.

2. PRESENTATIONS AND ACKNOWLEDGEMENTS:

A Resolution memorializing the late Harold F. "Harry" Burnup, husband of Linda F. Wyatt, former Council Member.

Adopted Resolution No. 37325-032006. (7-0)

File #367

3.

CONSENT AGENDA

Approved (7-0)

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

C-1 Minutes of the regular meeting of Council held on Monday, February 6, 2006.

RECOMMENDED ACTION: Dispense with the reading of the minutes and approve as recorded.

C-2 A communication from Mayor C. Nelson Harris requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended.

RECOMMENDED ACTION: Concur in the request.

File #132

C-3 A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711(A)(3), Code of Virginia (1950), as amended.

RECOMMENDED ACTION: Concur in the request.

File #132

C-4 Minutes of the meeting of the Audit Committee held on Monday, December 19, 2005.

RECOMMENDED ACTION: Receive and file.

File #300

- C-5 A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711(A)(3), Code of Virginia (1950), as amended.
RECOMMENDED ACTION: Concur in the request.
File #132

REGULAR AGENDA

4. PUBLIC HEARINGS: NONE.

5. PETITIONS AND COMMUNICATIONS:

- a. A communication from the Mayor requesting that Council schedule a public hearing for Monday, April 17, 2006, at 7:00 p.m., or as soon thereafter as the matter may be heard, to appropriate certain remaining bond funds into a capital account for the purpose of renovating or constructing new library facilities in the City.
Concurred in request. (Council Members Wishneff and Lea File #53-122-323 voted no.)
- b. Presentation of the 2005 Report of Economic Development Activity by the Roanoke Valley Economic Development Partnership. Phillip F. Sparks, Executive Director, Spokesperson. (Sponsored by the City Manager.)
No action was taken.
File #450

6. REPORTS OF OFFICERS:

- a. CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

1. Acceptance of Roanoke Homeless Assistance Team Renewal Grant funds, in the amount of \$137,669.00, from the U. S. Department of Housing and Urban Development (HUD); and appropriation of funds.
Adopted Budget Ordinance No. 37326-032006 and Resolution No. 37327-032006. (7-0)
File #60-178-236
2. Acceptance of Shelter Plus Care Renewal Grant funds, in the amount of \$136,716.00, from the U. S. Department of Housing and Urban Development (HUD); and appropriation of funds.
Adopted Budget Ordinance No. 37328-032006 and Resolution No. 37329-032006. (7-0)
File #60-178-236
3. Acceptance of Juvenile Accountability Block Grant funds, in the amount of \$40,581.00, from the Department of Criminal Justice Services; and appropriation of funds.
Adopted Budget Ordinance No. 37330-032006 and Resolution No. 37331-032006. (7-0)
File #60-236-304-305

7. REPORTS OF COMMITTEES:

- a. Request of the Roanoke City School Board for appropriation of \$41,278.00 for the Learn and Serve K-12 Virginia program to provide hands-on education and career development for students at William Fleming High School and Taylor Learning Academy; and a report of the Director of Finance recommending that Council concur in the request. Kenneth F. Mundy, Executive Director of Fiscal Services, Spokesperson.
Adopted Budget Ordinance No. 37332-032006. (7-0)
File #60-467

- b. Request of the Roanoke City School Board for appropriation of funds in connection with the purchase of school-based furniture, Workers' Compensation and School Food Services; and a report of the Director of Finance recommending that Council concur in the request. Kenneth F. Mundy, Executive Director of Fiscal Services, Spokesperson.

**Adopted Budget Ordinance No. 37333-032006. (7-0)
File #60-467**

8. UNFINISHED BUSINESS: NONE.

9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.

10. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor and Members of City Council.

Council Member Cutler congratulated organizers of the St. Patrick's Day Parade which was held on Saturday, March 18, 2006.

File #80

Council Member Cutler complimented Greene Memorial United Methodist Church on the SINFONIA, Music of Johann Sebastian Bach, featuring Dr. Joan Lippincott, organist with The New York Bach Ensemble, which was held on Sunday, March 19, 2006.

File # 80

Council Member Dowe encouraged the citizens of the Roanoke Valley to support the Roanoke Dazzle basketball team.

File #388

Vice-Mayor Fitzpatrick commended City employees for their participation in the City's Second Talent Show which was held on Friday, March 17, 2006, in the Performing Arts Theatre at the Roanoke Civic Center.

File #80-184

Mayor Harris commended Council Member and Mrs. M. Rupert Cutler on the celebration of their 50th wedding anniversary on Thursday, March 23, 2006.

File #80-132

- b. Vacancies on certain authorities, boards, commissions and committees appointed by Council.

11. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

Mr. John Kepley, 2909 Morrison Street, S. E., spoke with regard to a review of various e-mails from Council Members and City officials, leadership issues, and Victory Stadium.

File #122

12. CITY MANAGER COMMENTS:

The City Manager advised that March 19, 2006, marked the first occasion that the City Market was open for business on a Sunday and encouraged citizens to support future Sunday shopping/activities on the City Market.

File #42

The following persons were appointed/reappointed to boards and commissions:

Darlene L. Burcham as a Commissioner of The Hotel Roanoke Conference Center Commission, for a term ending April 12, 2010.

File #15-110-247

Tuan Reynolds as a member of the Fair Housing Board, for a term ending March 31, 2009.

File #15-110-178

Mary F. Monk as a member of the Parks and Recreation Advisory Board, for a term ending March 31, 2009.

File #15-67-110

Quentin J. White as a member of the Human Services Advisory Board to fill the unexpired term of Corinne B. Gott, deceased, ending September 30, 2008.

File #15-72-110



ROANOKE CITY COUNCIL REGULAR SESSION

**MARCH 20, 2006
7:00 P.M.**

CITY COUNCIL CHAMBER

AGENDA

Call to Order -- Roll Call. (All Council Members were present.)

The Invocation was delivered by Council Member Sherman P. Lea.

The Pledge of Allegiance to the Flag of the United States of America was led by Cub Scout Pack #2, Raleigh Court Presbyterian Church.

Welcome. Mayor C. Nelson Harris.

NOTICE:

Tonight's Council meeting will be replayed on Channel 3 on Thursday, March 23, 2006, at 7:00 p.m., and Saturday, March 25, 2006, at 4:00 p.m. Council meetings are offered with closed captioning for the hearing impaired.

A. PUBLIC HEARINGS:

1. Request of Carilion Medical Center, CHS, Inc., and B & B Holdings, LLC, to establish a Comprehensive Sign Overlay District to properties in or near the Reserve Avenue, S. W. area, such district to include regulations pertaining to sign, location, height, materials, landscaping, text, color, calculation of sign area, and illumination of certain proposed signs on the subject property. Briggs W. Andrews, Secretary, Spokesperson.

Adopted Ordinance No. 37334-032006. (7-0)

File #51

2. Request of Crawford Development Company, LLC, to repeal and replace proffered conditions on property located at 3806 Thirlane Road, N. W., Official Tax No. 6520105, such new proffers relating to the design and materials of structures proposed to be built on the subject property, proposed possible uses to be placed on the property, and proposed vegetative buffer for the subject property. George I. Vogel, III, Attorney.

Adopted Ordinance No. 37335-032006. (7-0)

File #51

3. Proposal of the City of Roanoke to convey a 40-foot by 410-foot wide easement to Appalachian Power Company across City-owned property located adjacent to Riverview Boulevard and Arbor Avenue, S. E., for the purpose of relocating and installing new facilities, in connection with the Roanoke River Flood Reduction Project. Darlene L. Burcham, City Manager.

Adopted Ordinance No. 37336-032006. (7-0)

File #29-166-237

4. Proposal of the City of Roanoke to adjust the aggregate amount of the City's Fiscal Year 2005–2006 General Fund budget, in connection with appropriation of additional funds for Social Service/Human Service programs, not to exceed \$3,100,000.00; and a proposal to adjust the aggregate amount of the City's Fiscal Year 2005–2006 Fleet Management Fund budget, in connection with appropriation of additional funds for Motor Fuels and Vehicle Parts/Supplies, not to exceed \$500,000.00. Darlene L. Burcham, City Manager.
Adopted Budget Ordinance Nos. 37337–032006 and 37338–032006. (7–0)
File #60–72–361

B. HEARING OF CITIZENS UPON PUBLIC MATTERS:

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The following persons spoke with regard to Countryside Golf Course:

Ms. Valerie Garner, 2264 Maitaponi Drive, N. W.

Mr. Rick Ferguson, 2261 Maitaponi, Drive, N. W.

Ms. Lee Savigny, 2409 Lincoln Avenue, S. W.

Mr. A. Byron Smith, 2710 Cheraw Lake Road, N. W.

Ms. Sarah Higgins, 2267 Countryside Road, N. W.

File #166–450

Ms. Helen E. Davis, 35 Patton Avenue, N. E.; Mr. Chris Craft, 1501 East Gate Avenue, N. E.; and Mr. Robert E. Gravely, 727 29th Street, N. W., spoke with regard to various concerns.

File #66

CERTIFICATION OF CLOSED SESSION. (7–0)